

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

KEVIN RASHAAN GOLDEN,

Plaintiff,

V.

CITY OF LONGVIEW, et al.,

Defendants.

Case No. 6:20-cv-620-JDK-JDL

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

This case was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. On August 4, 2021, Judge Love issued a Report and Recommendation recommending that the Court grant Defendants’ motion to dismiss (Docket No. 31) as to Plaintiff’s ADA, HIPAA, and Texas Medical Records Privacy Act (“TMRPA”) claims against Defendants Rolin McPhee, Chi Ping Stephen Ha, Keith Covington, Mary Ann Miller, Robin Edwards, and Dwayne Archer (collectively the “Individual Defendants”), dismissing those claims with prejudice. Judge Love also recommended that the Court dismiss Plaintiff’s § 1983 claims against the Individual Defendants and Defendant the City of Longview with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). Docket No. 41.


Plaintiff did not file objections to the Report or a motion for an extension by the deadline. Accordingly, the Court reviewed and adopted the Report. Docket

No. 43. The same day, objections from Plaintiff were received and docketed. Docket No. 45. In his objections, Plaintiff generally re-argues his previous allegations.

Although Plaintiff failed to timely object, the Court has reviewed the objected-to findings and conclusions of the Magistrate Judge de novo. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court has examined the entire record and made an independent assessment under the law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*), *superseded on other grounds by statute*, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

Having conducted a de novo review of the record in this case, Plaintiff's objections, and the Magistrate Judge's Report, the Court has determined that the Report of the Magistrate Judge is correct, and Plaintiff's objections are without merit. Accordingly, the Court hereby **OVERRULES** Plaintiff's objections (Docket No. 45). The Court's prior Order adopting the Report of the Magistrate Judge as the opinion of the District Court (Docket No. 43) shall remain in effect.

So **ORDERED** and **SIGNED** this **27th** day of **August, 2021**.


JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE